

REMARKS

In the office action, the examiner restricted the claims into the following seven groups:

- GROUP I: Claims 1-9 and 24-26, drawn to an isolated nucleic acid drug comprising four pairs of hairpin loops,
- GROUP II: Claims 10-20, drawn to a plasmid comprising a construct that comprises a first arm polynucleotide sequence, a spacer polynucleotide sequence and a second arm polynucleotide sequence,
- GROUP III: Claims 21-23 and 45, drawn to a nucleic acid drug comprising a PNA clamp comprising biotin molecule, a streptavidin molecule having at least one nuclear localization signal peptide, an AAV ITR polynucleotide with a 5' end and a 3' end,
- GROUP IV: Claims 27-31, drawn to a method of producing a nucleic acid drug by transforming a cell with the plasmid comprising a construct that comprises a first arm polynucleotide sequence, a spacer polynucleotide sequence and a second arm polynucleotide sequence, incubating said cell under conditions to promote cell growth and isolating said nucleic acid and further process it to the nucleic acid drug,
- GROUP V: Claims 32 and 33, drawn to a method of producing a nucleic acid drug by PCR,
- GROUP VI: Claims 34-38 and 46-48 drawn to a method of delivering a nucleic acid drug the genome of a cell,
- GROUP VII: Claims 39-44 and 49-51, drawn to method of inducing apoptosis in tumor cells of a living animal.

Applicants provisionally elect the claims of Group II, Claims 10-20 for examination, with traverse. Applicants believe that the claims of the remaining groups are sufficiently related to be examined together, and that such examination would not place an undue burden

on the Examiner. M.P.E.P. § 803 states that, if “the search and examination of an entire application can be made without serious burden, [then] the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” Therefore, applicants request that the examiner reconsider her position regarding this restriction requirement and examine the claims of Groups I- VII as one invention.

CONCLUSION

Applicants reserve the right to file divisional applications covering the subject matter of the non-elected claims.

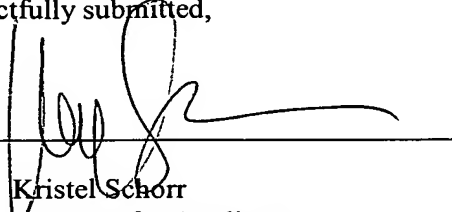
Applicants respectfully request examination on the merits of this application. Should there be any questions concerning this application, Examiner Qian is invited to contact the undersigned at the number listed below.

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Respectfully submitted,

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